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11 XX GLOBAL, INC. and JACQUES WEBSTER  
12

13 UNITED STATES DISTRICT COURT  
14 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION  
15

16 PJAM LLC,  
17 Plaintiff,  
18 vs.  
19

20 XX GLOBAL, INC., JAQUES  
21 WEBSTER, and DOES 1-20, inclusive,  
22 Defendants.  
23

24 XX GLOBAL, INC. and JACQUES  
25 WEBSTER,  
26

27 Counterclaimants,  
28

vs.

29 PJAM LLC, JEFFERSON AGAR,  
30 ALEX MARTINI, PATRICK  
31 JOHNSTON, and ROES 1 through 10,  
32 inclusive,  
33

34 Counterclaim Defendants.  
35

CASE NO.: 2:18-cv-03192 JFW  
(MRWx)

Hon. John F. Walter

**DECLARATION OF MATTHEW  
CAVE IN SUPPORT OF JOINT  
MOTION IN LIMINE NO. 1:  
MOTION OF DEFENDANTS AND  
COUNTERCLAIMANTS XX  
GLOBAL, INC. AND JACQUES  
WEBSTER TO EXCLUDE  
TESTIMONY OF PLAINTIFF'S  
EXPERT ALEX MARTINI**

Hearing Date: April 5, 2019

Hearing Time: 10 a.m.

Pre-Trial Conf.: March 29, 2019

Trial Date: April 9, 2019

Action Commenced: March 20, 2018

1 I, Matthew Cave, declare:

2 1. I am an attorney duly admitted to practice before this Court. I am an  
3 associate with King, Holmes, Paterno & Soriano, LLP, attorneys for Defendants and  
4 Counterclaimants XX Global, Inc. and Jacques Webster (together, "Defendants") in  
5 the above-entitled action. I submit this declaration in support of Joint Motion in  
6 Limine No. 1: Motion of Defendants and Counterclaimants XX Global, Inc. and  
7 Jacques Webster to Exclude the Testimony of Plaintiff's Expert Alex Martini. I  
8 have personal knowledge of the matters set forth below and would testify  
9 competently to them if asked.

10 2. Attached hereto as **Exhibit 1** is a true and correct copy of the Expert  
11 Report of Alex Martini, produced by Plaintiff in this action on February 5, 2019 (the  
12 "Initial Report").

13 3. After I met and conferred with Plaintiff's counsel, Stephen Tomasulo,  
14 regarding the insufficiency of Mr. Martini's Initial Report, Plaintiff agreed that Mr.  
15 Martini would promptly produce an amended expert report.

16 4. Attached hereto as **Exhibit 2** is a true and correct copy of the amended  
17 Expert Report of Alex Martini, produced by Plaintiff in this action on February 19,  
18 2019 (the "Amended Report").

19 5. My colleague and co-counsel, Howard King, took Mr. Martini's  
20 deposition in our offices on March 5, 2019. I attended the deposition. Attached  
21 hereto as **Exhibit 3** is a true and correct copy of the rough deposition transcript,  
22 which I received directly from the reporter at TSG Reporting. Defendants will

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1 submit to the Court a final version of the deposition transcript as soon as it becomes  
2 available.

3  
4 I declare under penalty of perjury under the laws of the United States of  
5 America that the foregoing is true and correct.

6 Executed March 14, 2019, at Los Angeles, California.

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8 \_\_\_\_\_  
9 Matthew Cave